

Board for Professional and Occupational Regulation Meeting

MINUTES

The Board for Professional and Occupational Regulation met on Monday, March 5, 2007, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia. The following members were present for all or part of the meeting:

Nancy Finley Barbour
Julie Clifford, Chair
James Demmel
Walter Fore
Maxime A. Frias, Vice-Chair
Ronald E. Lushbaugh
William Alfred Tucker

Board member E. Wilson Clary, Jr., was absent from the meeting.

The following staff were present for all or part of the meeting:

Jay W. DeBoer, Director
David B. Ashe, Chief Deputy
Karen O'Neal, Deputy Director for Licensing and Regulation
Steven L. Arthur, Deputy Director for Administration and Finance
Mary Broz-Vaughan, Director of Communications, Legislation, and Consumer Education
Mark N. Courtney, Executive Director
Judy Spiller, Executive Secretary

There was no representative from the Office of the Attorney General present at the meeting.

Chair Clifford called the meeting to order at 10:00 a.m., noting that a quorum was present.

Call to Order

Mr. Tucker moved to approve the agenda as presented. Mr. Fore seconded the motion, which was unanimously approved by members: Barbour, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker.

Agenda Approval

Mr. Demmel moved to approve the November 13, 2006, minutes as presented. Mr. Fore seconded the motion, which was unanimously approved by members: Barbour, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker.

Approval of Minutes

No comments were made to the Board members at this time.

Public Comment

Director DeBoer welcomed all to the meeting. He explained that the Board would receive updates on legislation and the Department's upcoming move later in the meeting.

Jay W. DeBoer,
Director's
Report

The Department continues to experience steady growth, with the number of regulants currently more than 312,000, and the disciplinary case load also continues to escalate.

Ms. Broz-Vaughan gave a thorough report on the 2007 General Assembly session and legislation affecting the Department. The session lasted 46 days and the Department tracked 60 of the 3,067 bills and resolutions considered by the General Assembly. The Legislature will reconvene on April 4, 2007, to consider the Governor's amendments and vetoes.

Agency Reports
Mary Broz-
Vaughan,
Director of
Communica-
tions,
Legislation, and
Consumer
Education

The Budget, which was approved, provides for 32 additional persons in the Compliance and Investigations Division.

The Department submitted two bills – HB 2839, sponsored by Delegate Frank Hall, and SB 1185, sponsored by Senator Maime Locke. HB 2839 corrects the statute to extend the waiver on the professional wetland delineators certification program. SB 1185 allows use of the Real Estate Recovery Fund interest for consumer education, which is currently limited to licensee outreach.

Other bills affecting the Department would expand the Board for Waterworks and Wastewater Works Operators to regulate onsite soil evaluators, as well as installers and operators of alternative onsite sewage systems. A five-member Martial Arts Advisory Board is to be established to complement the current Boxing and Wrestling Advisory Task Force. There are to be changes in the Continuing Education requirements for real estate professionals and in the Residential Property Disclosure form/elimination of the Disclaimer Form.

Ms. Broz-Vaughan reported on other bills that would grant cease-and-desist authority to the APELSCIDLA board over unlicensed activity, and would allow the Board for Branch Pilots to amend limited license requirements to comply with SCC rulings. Composition of the Fair Housing Board will increase by two persons, and career/technical students will be exempt from contractor licensure when participating in certain education projects. Other bills concerned condos and property owners associations.

Two bills concerning design of alternative septic systems, and another bill regarding the resale of timeshares, were referred to the Housing Commission. As a follow-up on the Auto Body Repair Study, a bill introduced by Delegate Scott Lingamfelter failed to pass.

Mr. Arthur updated the Board on the Department's move to the Perimeter Center in Henrico County. Other state agencies to move to the same location are the Department of Health Professions, the Board of Accountancy, the Department of Health, and the Department of Conservation and Recreation. The lease for more than 150,000 square feet of space was signed recently and the move-in date is in August. Mr. Arthur showed slides of the new facilities.

**Steven L.
Arthur, Deputy
Director for
Administration
and Finance**

The Department's Biennial Report 2004-2006 was included in the meeting materials for Board members. The report was not printed this year in an effort to save money and because it is based on past achievements.

Other Business

Chair Clifford welcomed back Ms. O'Neal after her leg injury.

Board members were given a tour of the current DPOR facility by Mr. Arthur.

Mr. Demmel moved to adjourn. Mr. Frias seconded the motion, which was unanimously approved by members: Barbour, Clifford, Demmel, Fore, Frias, Lushbaugh, and Tucker. The meeting adjourned at 12:10 p.m.

Adjournment

Julie Clifford, Chair

Jay W. DeBoer, Secretary